

ZB# 92-10

**Sonia Briody
(Estate of Peter
DioGuardia)
59-1-6**

Prelim.

Apr. 27, 1992.

Motion to Sched.

Public Hearing

- ① Copy of Deed ~~there~~
- ② " Title Policy

③ Photos.

④ Fees: ① 50.00 } Fed.

⑤ 250.00 }
~~⑤ Fee from current estate~~

Motion to Sched. P.H. 4/27.

List ordered - Yes

Public Hearing:

August 10, 1992

Notice to Sentinel

on 7/20/92 ^(P.H.)

Aug. 10, 1992.

Area Variance

Granted

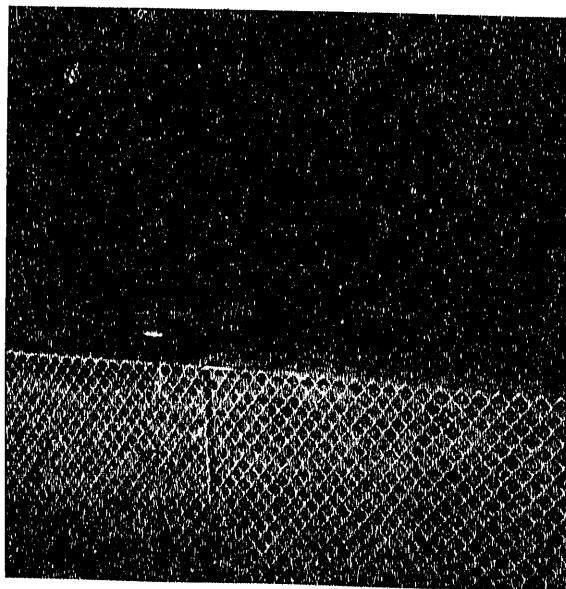
~~Do F.D.~~

~~Abell. Due + \$20.00 Rd.~~

#92-10-Briody, Sonia (contract
lunches)
Area Variance DiGuardia (owner)



92-10



1-20-54

92-10

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

12814

August 10, 19 92

Received of Stagg + Nathans

\$ 50⁰⁰/₁₀₀

Fifty and ⁰⁰/₁₀₀

DOLLARS

For Zoning Board Application Fee (#92-10)

DISTRIBUTION:

FUND	CODE	AMOUNT
Check # 7172		\$50 ⁰⁰ / ₁₀₀

By

Pauline B. Townsend

Town Clerk

Title

20#94-ANDES 7-8-92

John Diab. Meyers.

1000

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Briody, Sonia (contract purchaser) FILE # 92-10
Park Rd.
New Windsor, NY 12553

RESIDENTIAL: \$50.00 COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE \$ 50.00 pd.

* * * * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 250.00 pd.

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE 4/22/92 - 5 pages : \$ 22.50
2ND PRELIM. MEETING - PER PAGE 5/10/92 - 5 pages : \$ 22.50
3RD PRELIM. MEETING - PER PAGE : \$ _____
PUBLIC HEARING - PER PAGE 8/10/92 - 5 pages : \$ 22.50
TOTAL \$ 45.00

ATTORNEY'S FEES:

PRELIM. MEETING - .2 HRS. \$ _____
~~2ND PRELIM. P.H.~~ .3 HRS. \$ _____
3RD PRELIM. HRS. \$ _____
FORMAL DECISION 1.0 HRS. \$ _____
TOTAL HRS. 1.5 @ \$ 150.00 PER HR. \$ 225.00
TOTAL \$ 225.00

MISC. CHARGES:

TOTAL \$ 210.00

LESS ESCROW DEPOSIT . . . \$ 250.00
(ADDL. CHARGES DUE) . . . \$ 20.00

REFUND TO APPLICANT DUE . \$ _____

STAGE & NATHANSGENERAL ACCOUNT
23 WEST STREET P.O. BOX 410
WARWICK, NEW YORK 10990
(914) 986-1136

THIS CHECK IS IN PAYMENT OF THE FOLLOWING

7172

50-693/219

CHECK
AMOUNT

PAY	<u>Fifty</u>	DOLLARS
DATE	TO THE ORDER OF	DESCRIPTION
8/10/92	Town of New Windsor	(application fee - Dis Guardian)
C482		GROSS PAYROLL F.I.C.A. FED. W/H STATE

\$ 50 00

#92-10

THE KEY BANK OF EASTERN NEW YORK, N.A.
5 MAPLE AVENUE
WARWICK, NEW YORK 10990

⑈007172⑈ ⑆021906934⑆ 07⑈423525⑈7⑈

STAGE & NATHANSGENERAL ACCOUNT
23 WEST STREET P.O. BOX 410
WARWICK, NEW YORK 10990
(914) 986-1136

THIS CHECK IS IN PAYMENT OF THE FOLLOWING

7173

50-693/219

CHECK
AMOUNT

PAY	<u>Two hundred fifty</u>	DOLLARS
DATE	TO THE ORDER OF	DESCRIPTION
8/10/92	Town of New Windsor	(att'y. review & process)
C482		GROSS PAYROLL F.I.C.A. FED. W/H STATE

\$ 250 00

#92-10

THE KEY BANK OF EASTERN NEW YORK, N.A.
5 MAPLE AVENUE
WARWICK, NEW YORK 10990

⑈007173⑈ ⑆021906934⑆ 07⑈423525⑈7⑈

NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of

DECISION GRANTING
AREA VARIANCE

ESTATE OF PETER DIO GUARDIA

#92-10.

-----X

WHEREAS, ILVA DIO GUARDIA MEYERS, as the administratrix of the ESTATE OF PETER DIO GUARDIA, 2282 Arthur Avenue, Bronx, New York 10458, has made application before the Zoning Board of Appeals for 4,743 s.f. lot area variance in order to render the parcel in question a buildable parcel, said parcel located on Hillcrest Drive in an R-4 zone; and

WHEREAS, a public hearing was held on the 10th day of August, 1992 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant's attorney, Douglas Stage, Esq., Stage and Nathans, P. O. Box 410, 23 West Street, Warwick, N.Y. 10990, appeared in behalf of applicant and spoke in support of the application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the provisions of the bulk regulations with regard to lot area in order to render the parcel in question a buildable lot in an R-4 zone.

3. The evidence presented by the applicant indicated that applicant's husband, PETER DIO GUARDIA, now deceased, purchased the parcel of land in question in 1965, previous to the enactment of zoning in the Town of New Windsor. It also appeared, from evidence submitted by the applicant, that the parcel in question has existed with its present lot area since the filing of subdivision map #1448 on August 23, 1950, on which the premises are shown. Thus, the lot, with its present lot area, has long pre-existed the adoption of a zoning local law by the Town of New Windsor. The instant application is required since the applicant has allowed the property to remain vacant, and has not sought to construct a house on this pre-existing, non-conforming lot, soon enough after the adoption of zoning.

4. This parcel contains approximately 17,047 s.f. and would have been large enough in area to render it a buildable lot (15,000 s.f. required), if municipal water was available to this part of the R-4 zoning district. However, since the lot has no available municipal water, the requirement for lot area in this part of the R-4 zone is 21,790 s.f. and the lot is thus deficient in lot area.

5. The evidence presented by applicant substantiated the fact that a variance for less than the allowable lot area would be required in order for applicant to be able to render the lot a buildable lot under the bulk regulations of the R-4 zoning district.

6. The evidence presented by applicant substantiated the fact that applicant will suffer a monetary loss if she is prevented from utilizing the parcel of land as a buildable residential lot because at the time of purchase the applicant had the right to construct a single-family dwelling thereon and it was the subsequent adoption of the zoning local law which made the lot non-conforming.

7. The evidence presented by applicant indicated that applicant does not own any contiguous property which could be annexed to enlarge the area of this lot in order to make it conform to the bulk regulations for lot area.

8. It also appeared from the evidence presented at the public hearing that the other lots in the area were of a similar size and were improved with residences.

9. It is the finding of this Board, from the evidence submitted by the applicant, that the applicant would suffer significant economic injury from the strict application of the bulk regulations because the lot was purchased by applicant in 1965, previous to the enactment of zoning in the Town of New Windsor, and it was applicant's failure to construct a single-family residence soon enough after the adoption of zoning which makes this application necessary.

10. It is the finding of this Board that the applicant has made a sufficient showing of practical difficulty, entitling her to the requested area variance.

11. The requested variance will not produce an undersirable change in the character of the neighborhood or create a detriment to nearby properties.

12. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

13. The requested variance is not substantial in relation to the bulk regulations for lot area.

14. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the

neighborhood or zoning district.

15. The difficulty the applicant faces in conforming to the bulk regulations is not self-created.

16. It is the finding of this Board that the benefit to the applicant, if the requested area variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

17. It is the further finding of this Board that the requested lot area variance is the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

18. The interests of justice will be served by allowing the granting of the requested lot area variance.


NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 4,743 s.f. lot area variance as sought by applicant in order to render the parcel in question a buildable lot in the R-4 zone in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: September 14, 1992.


Chairman

(ZBA DISK#8-1000000.txt)

Date 9/1/92, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550

TO Francis Roth 384 Meadows Hill Rd DR.
New Windsor, NY 12553

DATE	CLAIMED	ALLOWED
9/1/92	75.00	
Zoning Board Meeting		
Misc - 1		
B.K. - 10		
Meal 17		
DioGuardia - 5 ✓ - 22.50.		
	145.50	
	233.50	

PUBLIC HEARING

ESTATE OF DIO GUARDIA

MR. FENWICK: Request for 4.743 s.f. lot area variance. in order to meet bulk regulations for buildable lot located on Hillcrest Drive in an R-4 zone.

Douglas Stage, Esq., came before the board representing this proposal.

MR. STAGE: Just a little background, Peter Dio Guardia bought this property in 1965. He passed away ten years ago leaving his will to Mrs. Dio Guardia. She has made that application as administratrix of the estate. It was a vacant piece of land that at that time was probably within the parameters of the zoning or at least area was meant to be a single family residence type of lot. As time went by, they bought it as an investment. They didn't move to this area, they stayed in New York City and Mrs. Dio Guardia, as administratrix of the estate marketed this property. It was about the time when the real estate market started deteriorating and took quite a bit of time. Finally she was able to acquire a purchaser Sonia Briody willing to purchase the land subject to the granting of a variance. In essence, it's approximately 17,000 square feet in area. However it's in lands where there's no municipal water area of the Town, excuse me, and therefore it exceeds, excuse me, would have exceeded if there had been municipal water would have been an approved lot. However without the municipal water, it needs a variance. It won't change the character of the neighborhood, won't be a detriment, all the property owners saw the for sale signs, if they were interested, they would have made an offer. None were. And also the lot is basically set up in a single family residential neighborhood which would be, use is intended for, I'm her on behalf of Mrs. Dio Guardia and Miss Briody to ask this board if they can see fit to grant a small area variance in this part of your township.

August 10, 1992

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MR. FENWICK: This lot appears to be in line with the size-wise with other lots in the neighborhood.

MR. STAGE: Yes.

MR. FENWICK: There are houses on both sides of this lot?

MR. STAGE: Yes.

MR. FENWICK: One of them says State of New York.

MR. STAGE: It's a group home which also made marketing the property somewhat difficult.

MR. FENWICK: There's sewage out there?

MR. BABCOCK: Yes.

MR. LUCIA: You're representing the State of Peter Dioguardia?

MR. STAGE: Yes, the seller.

MR. LUCIA: Thank you for providing the copy of the deed, I see in there that there is a reserved right-of-way for a water supply line and one of the issues that we raised when Miss Briody was here on preliminary is the lot size computation of 17,047 square feet, I assume does not include that five foot reserve strip along the rear line?

MR. STAGE: That is correct.

MS. BARNHART: Mr. Stage verified he's very confused with Mr. Stege and Mr. Stage.

MR. STAGE: Yes, he verified that the total lot area 17,047 feet.

MR. FENWICK: Am I looking from or to the property?

MR. STAGE: To the property, it has a chain link fence in front of this.

MR. FENWICK: It's maintained.

MR. STAGE: Somebody has been mowing the lawn. I took pictures and I said I hope this is the right lot. I verified with the real estate agents, it's the correct lot.

MR. TORLEY: It borders the group home. You've made offers to the State for them to purchase that?

MR. STAGE: We had discussions with regard to their driveway encroached on our property and the fact of their possible purchase came up and they said they had no interest at this time. They were very pleased with the house they had.

MR. LUCIA: Also your deed refers to covenants and restrictions. Is there anything entitled to this property to your knowledge which would prohibit the construction which you're proposing, should this board grant you an area variance?

MR. STAGE: No, there's not.

MR. FENWICK: Is this Beaver Dam Lake?

MR. STAGE: Yes.

MR. FENWICK: Do you have a mailing?

MR. STAGE: Yes.

MR. FENWICK: There's nobody here, fortunately or unfortunately but a lot of times people have shown up from the Beaver Dam area and made either us or the applicant aware of problems that didn't come up in other words maybe in the case of yours, where you have spoken and you don't know that there may be possibly a water problem there or something like that. So I can't believe it. This is the most ideal property inhabited in all of Beaver Dam.

MS. BARNHART: I think 50 letters went out.

MR. FENWICK: Everything is on the up and up as far as we know?

MRS. BARNHART: Everything is, I mailed them on July 29th.

MR. LUCIA: I just have a couple of questions in terms of the ordinance. Will an undesirable change be produced in the character of the neighbor or detriment to nearby properties be created by granting this area variance?

MR. STAGE: No.

MR. LUCIA: Is the benefits sought by the applicant achievable by some other method than a variance?

MR. STAGE: No for the reason I stated before.

MR. LUCIA: Is the requested area various substantial.

MR. STAGE: I don't believe variance?so in light of the neighborhood.

MR. LUCIA: No other land available that can be annexed to this? Is the proposed variance going to have an adverse effect or impact on physical or environmental conditions?

MR. STAGE: No.

MR. LUCIA: And is the difficulty self-created?

MR. STAGE: No, definitely not.

MR. LUCIA: Thank you.

MR. FENWICK: I'll open it to the public. Since we have no one here, again, I'll close it to the public, back to the members of the board. I think all our questions are taken care of.

MR. KONKOL: Motion that we grant the variance.

August 10, 1992

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MR. TORLEY: I'll second it.

ROLL CALL

MR. TORLEY	AYE
MR. KONKOL	AYE
MR. FENWICK	AYE

Rec'd.
ZBA 8/18/92
(RAB)

August 13, 1992

Zoning Board of Appeals
New Windsor Town Hall
555 Union Avenue
New Windsor, New York

RE: Appeal # 92-10
Insufficient for Area
Sect 59-BLK 1-Lot 6

Dear Board Members:

The notice of hearing (copy attached) was not sufficient notice for the hearing of August 10.

I would like to have the details of the request for a variance and would like to present important information before a decision on this request is rendered.

Please do not make a ruling on this matter until a hearing with proper notification is held.

Sincerely,

Daniel Burke

CC: STAGE and NATHANS
23 WEST STREET
PO Box 410
WARWICK, NY 10990

DANIEL BURKE
26 HILLCREST DRIVE
SALISBURY MILLS,
NEW YORK 12577
DAY (212) 274-3119

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 92-10

Request of ESTATE OF PETER DIO GUARDIA

for a VARIANCE of

the regulations of the Zoning Local Law to
permit construction of single-family residential
dwelling with insufficient lot area;

being a VARIANCE of

Section 48-12 - Table of Use/Bulk Regs.-Col. C

for property situated as follows:

On the northside of Hillcrest Drive, New Windsor,

New York known and designated as tax map Section 59

Blk. 1 - Lot 6.

SAID HEARING will take place on the 10th day of
August, 1992, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

RICHARD FENWICK
Chairman

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 3-25-92

APPLICANT:

SONIA BRIDY

PARK RD

New Windsor NY 12553

496-5493

Estate of
Peter DiGuardia - owner
2282 Arthur Ave.
Bronx, N.Y. 10458.

Prelim.
7:30 p.m.
4/27/92

#92-10

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 3-25-92

FOR (BUILDING PERMIT)

LOCATED AT Hillcrest Dr - New Windsor

ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 59 BLOCK: 1 LOT: 6

VAC - LOT

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

UNDERSIZE LOT AREA


BUILDING INSPECTOR

REQUIREMENTS

PROPOSED OR
AVAILABLE

VARIANCE
REQUEST

ZONE R-4 USE C-9

MIN. LOT AREA 21,790

17,047

4,743 sq ft

MIN. LOT WIDTH

REQ'D FRONT YD

REQ'D SIDE YD.

REQ'D TOTAL SIDE YD.

REQ'D REAR YD.

REQ'D FRONTAGE

MAX. BLDG. HT.

FLOOR AREA RATIO

MIN. LIVABLE AREA

MARK KU
New Windsor NY 12553

ESTATE OF
Peter DiGuardia - owner
3282 Arthur Ave.
Bronx, N.Y. 10458.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 3-25-92

FOR (BUILDING PERMIT) 1

LOCATED AT Hillcrest Dr - New Windsor

ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 59 BLOCK: 1 LOT: 6

VAC - LOT

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

UNDERSIZE LOT AREA

Frank Lisi
BUILDING INSPECTOR

REQUIREMENTS		PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE	<u>R-4</u>	USE	<u>C-9</u>
X MIN. LOT AREA	<u>21,790</u>	<u>17,047</u>	<u>4,743 sq ft</u>
MIN. LOT WIDTH	_____	_____	_____
REQ'D FRONT YD	_____	_____	_____
REQ'D SIDE YD.	_____	_____	_____
REQ'D TOTAL SIDE YD.	_____	_____	_____
REQ'D REAR YD.	_____	_____	_____
REQ'D FRONTAGE	_____	_____	_____
MAX. BLDG. HT.	_____	_____	_____
FLOOR AREA RATIO	_____	_____	_____
MIN. LIVABLE AREA	_____	_____	_____
DEV. COVERAGE	_____ %	_____ %	_____ %

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
[REDACTED] TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

(914) 563-4630

CC: Z.B.A., APPLICANT, B.P. FILE

IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Contract Purchaser: _____ Owner: _____

Name of Owner of Premises SONIA BRIDGES

Address PARK RD. SALISBURY MILLS Phone 496-5493

Name of Architect G. ZIMMERMAN

Address RT 17M HARRIMAN Phone 782-7976

Name of Contractor VINCENT BIAGINI

Address P.O. BOX 479 WASHVILLE Phone 534-7502

State whether applicant is owner, lessee, agent, architect, engineer or builder.....

If applicant is a corporation, signature of duly authorized officer.....

(Name and title of corporate officer)

1. On what street is property located? On the N side of Hillcrest DRIVE
and 600 feet from the intersection of LAKE RD
(N.S.E. or W.)
2. Zone or use district in which premises are situated Is property a flood zone? Yes..... No ✓
3. Tax Map description of property: Section 59 Block 1 Lot 6
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy VACANT LAND b. Intended use and occupancy ONE FAMILY DWELLING
5. Nature of work (check which applicable): New Building ✓ Addition..... Alteration..... Repair.....
Removal..... Demolition..... Other.....
6. Size of lot Front 100' Depth 110' Area 7044 Sq. Ft. 7044 Sq. Ft.

CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
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14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Contract Purchaser. Owner:
Name of Owner of Premises SONIA BRIDY
Address PARK RD. SALISBURY MILLS Phone 496-5493
Name of Architect G. ZIMMERMAN
Address RT 17M HARRIMAN Phone 782-7976
Name of Contractor VINCENT BIAGINI
Address P.O. Box 479 WASHVILLE Phone 534-7502
State whether applicant is owner, lessee, agent, architect, engineer or builder
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the N side of Hillcrest DRIVE
(N.S.E. or W.)
and 600 feet from the intersection of LAKE RD
2. Zone or use district in which premises are situated. Is property a flood zone? Yes.....No ☒
3. Tax Map description of property: Section 59 Block 1 Lot 6
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy VACANT LAND b. Intended use and occupancy ONE FAMILY DWELLING
5. Nature of work (check which applicable): New Building ☒ Addition..... Alteration..... Repair.....
Removal..... Demolition..... Other.....
6. Size of lot: Front Rear 100' Depth 169' Front Yard 70 ft Rear Yard 70 ft Side Yard 20 ft
Is this a corner lot? No
7. Dimensions of entire new construction: Front..... Rear..... Depth..... Height..... Number of stories.....
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....
Number of bedrooms..... Baths 2 1/2 Toilets 3
Heating Plant: Gas..... Oil ☒ Electric/Hot Air..... Hot Water Oil
If Garage, number of cars 2
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost \$75,000.00 Fee.....
(to be paid on this application)
11. School District WASHINGTONVILLE

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office Of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer —

Planning Board.....

Highway.....

Sewer.....

Water.....

Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date *Mar. 15* 19 *92*

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

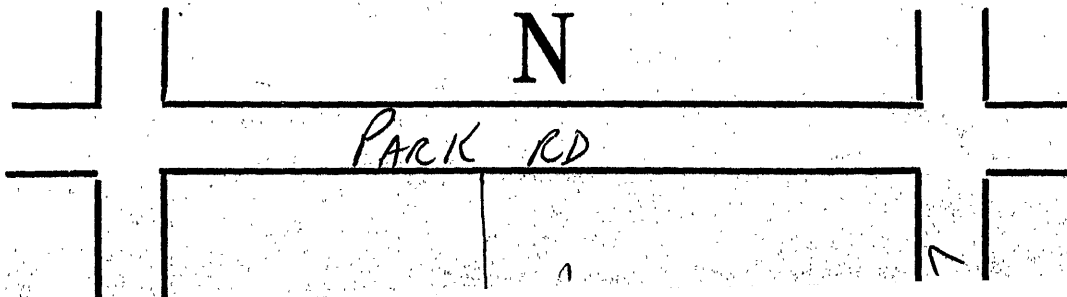
James Brady
(Signature of Applicant)

Park Rd Salisbury Mills Ny
(Address of Applicant) *12577*

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer -
Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT
Pursuant to New York State Building Code and Town Ordinances

Date Mar. 15 1992

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

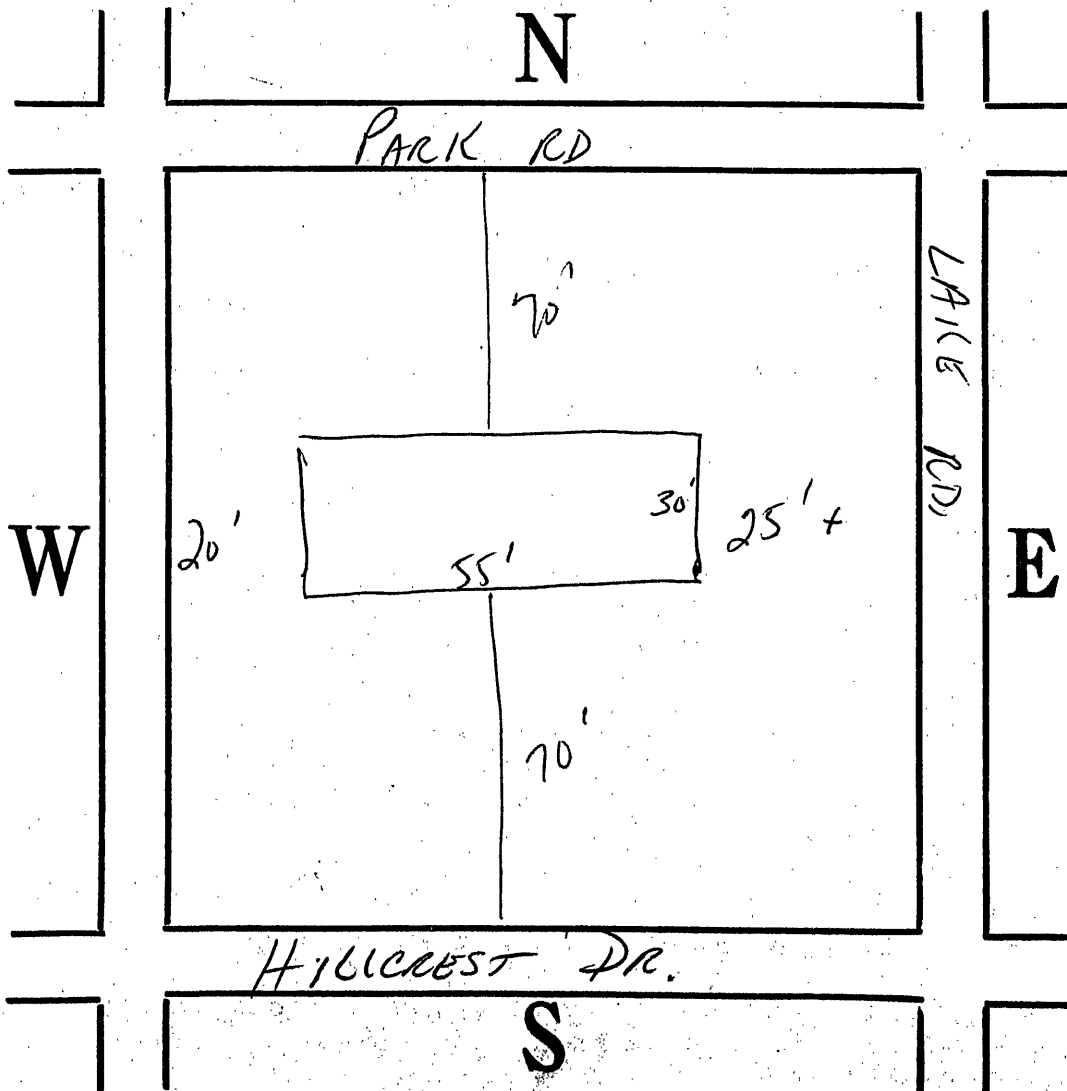
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Sonia Brady
(Signature of Applicant)

Park Rd Salisbury Mills NY
(Address of Applicant) 12577

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



59-1-6

SECTION 57

SECTION 57



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

92-10

Date: 7/1/92

- I. Applicant Information: ESTATE OF PETER DIO GUARDIA (owner)
- (a) % Douglas Stage, Esq., P.O. Box 410, 23 West Street, Warwick, N.Y. 10990
(Name, address and phone of Applicant) (Owner)
- (b) -
(Name, address and phone of purchaser or lessee)
- (c) Douglas Stage, Esq., P. O. Box 410, 23 West Street, Warwick, N.Y. 10990
(Name, address and phone of attorney)
- (d) -
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) R-4 Hillcrest Drive, New Windsor, N.Y. 59-1-6 100x171+
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? n/a
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? 3/26/65
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? -
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: n/a
- _____
- _____
- _____

IV. Use Variance. n/a

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____

n/a

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. C.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>21,790 s.f.</u>	<u>17,047 s.f.</u>	<u>4,743 s.f.</u>
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

(b) The legal standard for an "area" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you may have made to alleviate the difficulty other than this application. The parcel in question does not meet the bulk regulations with respect to lot area due to the fact that the parcel has municipal sewer, but no water facilities. If the parcel had water facilities furnished through the municipality, there would be a need for only 15,000 s.f. and no area variance would have to be sought by applicant. Applicant cannot obtain additional land area due to the fact that the adjacent parcels of land are improved. Applicant feels that the granting of the

VI. Sign Variance:

(continued on Appendix A)

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size

(b) ^{n/a} Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) ^{n/a} What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. ^{n/a}

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Contract purchaser is proposing to construct a single-family residential dwelling which will ensure the quality of the neighboring zone which is R-4 residential.

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ ^{n/a} Copy(ies) of sign(s) with dimensions and location.
- ☐ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$250.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

ESTATE OF PETER DIO GUARDIA

BY *Ilva Dio Guardia Meyers*
(Applicant)
Ilva DioGuardia Meyers, Administratrix

Sworn to before me this

02 day of June, 1992.

XI. ZBA Action:

(a) Public Hearing

(b) Variance: G

(c) Restrictions

[Signature]
YUKSAN VUKSANAJ
NOTARY PUBLIC, State of New York
NO. 60-4685823
Qualified in Westchester County
Commission Expires Oct. 31, 1992

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

APPLICATION FOR AREA VARIANCE - ESTATE OF PETER DIO GUARDIA
#92.10

variance is the only feasible method which she can pursue in view of the fact that there is no additional land available for purchase.

Applicant feels that the granting of the variance will not be detrimental to the health, safety or welfare of the neighborhood or community since the property is zoned for single-family residential use only and any prospective purchaser must adhere to the zoning regulations when and if the property is improved.

Applicant is seeking a lot area variance on a parcel of property which is 17,047 s.f. in size. The variance request is for 4,743 s.f. Applicant feels that this request is not substantial.

Since this parcel can only be used for single-family residential use, Applicant feels that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district. Any prospective purchaser will be restricted from building a structure which is not conducive to the single-family residential use.

The difficulties stated above are not the result of a self-created hardship on the part of the Applicant.

7-173

STAGE & NATHANS

ATTORNEYS AT LAW

23 WEST STREET

P.O. BOX 410, WARWICK, N.Y. 10990

WILLIAM NATHANS
DOUGLAS R. STAGE

PATRICIA BAUERNFEIND - PARALEGAL

Rec'd 7/9/92

TELEPHONE

(914) 986-1136
(914) 986-6584

FAX (914) 986-8478

July 7, 1992

Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

Attention Pat Barnhart

RE: Dio Guardia - Briodi

Dear Pat:

Enclosed please find a copy of the deed in connection with the above captioned matter. We do not have a title policy or any photos at this time.

We have sent a check to the Tax Assessor's Office and ordered the list of property owners.

If you have any questions please feel free to contact me. Thank you for your attention to this matter.

Very truly yours,

STAGE AND NATHANS

Douglas R. Stage
DOUGLAS R. STAGE *nm*

DRS:nm
encl.

This Indenture,

Made the 21st day of January, nineteen hundred and sixty-five

Between JOHN MESSINA, residing at 135-07 118th Street, Ozone Park, County of Queens and State of New York,

part y of the first part, and
(no number) Hillcrest
PETER DIO GUARDIA, residing at ~~part y of the first part, and~~
Road, Salisbury Mills, County of Orange,
~~part y of the first part, and~~ and State of New York,

part y of the second part:

Witnesseth, that the part y of the first part, in consideration of TEN and 00/100
----- (\$10.00) ----- Dollars,
lawful money of the United States,, and other good and valuable consideration,
paid by the part y of the second part,
do as hereby grant and release unto the part y of the second part,
his heirs and assigns forever,

All that certain lot, piece or parcel of land, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, known and designated as Lot Number TWELVE (12) upon a map entitled "Map of Windsor Hills, Salisbury Mills, Town of New Windsor, County of Orange, N.Y.", made by Nial Sherwood, C. E., dated May 1950, and filed in the office of the Clerk of the County of Orange on August 23, 1950, as map No. 1448.

TOGETHER with the rights to the use of Beaver Dam Lake; RESERVING the right of way for water supply line and SUBJECT to the public utilities easements and rights of way and the restrictive covenants more particularly set forth in deed from Clarence P. Strakosch and Mary E. Strakosch to John Messina, recorded in the Orange County Clerk's Office in Liber 1304 at page 552.

BEING and intended to be the same premises as were conveyed by Clarence P. Strakosch and Mary E. Strakosch to John Messina by deed

...one ms
hundred and sixty-five

day of January

, nineteen

Between JOHN MESSINA, residing at 135-07 118th Street, Ozone
Park, County of Queens and State of New York,

part y of the first part, and
(no number) Hillcrest
PETER DIO GUARDIA, residing at ~~100-00 100th Avenue,~~
Road, Salisbury Mills, County of Orange,
~~Five Towns, County of Westchester~~ and State of New York,

party of the second part:

Witnesseth, that the part y of the first part, in consideration of TEN and 00/100
----- (\$10.00) ----- Dollars,
lawful money of the United States, and other good and valuable consideration,
paid by the part y of the second part,
do es hereby grant and release unto the part y of the second part,
his heirs and assigns forever,

All that certain lot, piece or parcel of land, situate, lying
and being in the Town of New Windsor, County of Orange and State of New
York, known and designated as Lot Number TWELVE (12) upon a map en-
titled "Map of Windsor Hills, Salisbury Mills, Town of New Windsor,
County of Orange, N.Y.", made by Nial Sherwood, C. E., dated May 1950,
and filed in the office of the Clerk of the County of Orange on August
23, 1950, as map No. 1448.

TOGETHER with the rights to the use of Beaver Dam Lake; RESERVING
the right of way for water supply line and SUBJECT to the public util-
ities easements and rights of way and the restrictive covenants more
particularly set forth in deed from Clarence P. Strakosch and Mary E.
Strakosch to John Messina, recorded in the Orange County Clerk's Office
in Liber 1304 at page 552.

BEING and intended to be the same premises as were conveyed by
Clarence P. Strakosch and Mary E. Strakosch to John Messina by deed
dated May 10, 1954 and recorded in the Orange County Clerk's Office on
May 10, 1954 in Liber 1304 of Deeds at page 552.

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

-----x
In the Matter of Application for Variance of

Estate of Peter Dio Guardia,

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

#92-10.
-----x

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age
and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On July 29, 1992, I compared the 50 addressed
envelopes containing the attached Notice of Public Hearing with
the certified list provided by the Assessor regarding the above
application for variance and I find that the addressees are
identical to the list received. I then mailed the envelopes in a
U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Sworn to before me this
30th day of July, 1992.

Deborah Green
Notary Public
DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1993

(TA DOCDISK#7-030586.AOS)

[illegible]

April 27, 1992
PRELIMINARY MEETING:

file
2

BRIODY, SONIA

MR. FENWICK: Request for 4,743 s.f. lot area variance in order to meet building lot bulk requirements located at Hillcrest Drive (BDL) in R-4 zone. (59-1-6)

Ms. Sonia Briody came before the Board.

MS. BRIODY: I think I'd like to put a house up. You don't have the plans, I think I gave Frank.

MR. LUCIA: We have a survey, we don't have any house plans though that's not relevant to this application.

MR. FENWICK: How long have you owned this piece of property?

MS. BRIODY: Well, it's in contract subject to a variance.

MR. FENWICK: You're in contract to buy?

MS. BRIODY: Yes.

MR. FENWICK: You're representing the owner of the property at this time?

MS. BARNHART: Do you know who the owner of the property is?

MS. BRIODY: I'm not, I think it's DeGuardia (phonetic) If I am not mistaken that's it.

MR. LUCIA: If you proceed with this, the board will need a proxy from Mr. DeGuardia, if he's the owner authorizing you to make this application on his behalf. This is a preliminary meeting so the board will hear what it is you propose to do but if the board sets you up for a public hearing, you'll need a formal written authorization from the present owner giving you permission to present this application.

MS. BRIODY: Can I get it from my lawyer?

MR. LUCIA: No, you actually need it from the owner of record.

April 27, 1992

3

MR. FENWICK: No water?

MR. BABCOCK: Sewer no water.

MR. FENWICK: No water available?

MR. LUCIA: That raises a question which I might want to check on the survey from Mr. Stedge is dated June 28 of '91 shows lot area 17,047 square feet. You notice the rear of the property 5 foot reserve strip which I would assume is an easement, goes back to the original filed map from 1950. Since the heavy dark line does not include that 5 foot strip, I'm going to assume that the 17,047 square feet is the net lot area he's already deducted that but that's something you might want to check because it effects the amount of the variance you need. In other words, under the present town law, easement areas are deducted from lot area so I am assuming he's already deducted it in the 17,047 square feet. But please check it cause if he is wrong, it will come up short.

MS. BRIODY: Could you write that down?

MR. LUCIA: Copy of the minutes will be available.

MR. FENWICK: Do you know if there's buildings on both sides of this lot?

MS. BRIODY: Yes, it's right next to the State Home, the lot right next to the--

MR. FENWICK: Then on the other side there's a house on the other side?

MS. BRIODY: Yes, there is.

MR. BABCOCK: Yeah, on the tax map it says State of New York. One question maybe we can clarify. Our tables and I'm sure all off your tables in this particular zone the numbers say 21970 and all the other zones say 21780 which is a half acre. I'm not sure what we're supposed to be using here.

MR. LUCIA: I think we're bound by the printed table until the Town Board says otherwise.

MR. BABCOCK: Okay, that's what we did.

April 27, 1992

4

MR. FENWICK: That five foot, Dan, from the looks from what I can see now is the outside of the dark line.

MR. LUCIA: I'm assuming he already deducted it but she probably should ask the surveyor just to make sure.

MR. FENWICK: Nothing is on this piece of property now?

MS. BRIODY: No.

MR. FENWICK: Is it wooded?

MS. BRIODY: Slightly, yeah.

MR. FENWICK: Everything you do is going to be on behalf of the owner so--

MS. BRIODY: I intend to purchase it.

MR. FENWICK: But you don't own it now so he's, he or she are actually the ones that have the problem with the property right now. Before we finish here, the attorney will explain to you what the criterias that you have to meet to get this variance besides us voting on it but the proofs that you have to put before us. Which is actually the owner's proofs, okay, because until you own the property, you don't have a problem. Do you know if in fact there are for the most part houses on most of those hundred foot wide lots?

MR. BABCOCK: To my knowledge, I didn't even realize that this was a vacant lot so to my knowledge, the only lot that would be vacant is either 1.2 or 1.3. One of those two lots are vacant right now.

MR. FENWICK: On the corner then but going down from let's say start at the lot 11, 10, 9.

MR. BABCOCK: They're all older houses, quite old.

MR. FENWICK: We're looking at 13,000 square feet there, 13,400 there. So it is not, it's kind of a lot that's in line with everything else that's there now.

MR. BABCOCK: Yes.

MR. NUGENT: I'll make a motion to set her up for a public hearing.

April 27, 1992

5

MR. TANNER: I'll second it.

ROLL CALL

MR. KONKOL	AYE
MR. TANNER	AYE
MR. NUGENT	AYE
MR. FENWICK	AYE

MR. FENWICK: At this time, I'll ask the attorney to explain the requirements.

MR. LUCIA: Since this is an area variance, the legal standard this board has to grant that variance is something called practical difficulty. And you must come back with proof in order to establish practical difficulty of significant economic injury that the owner, not you, that the owner of the property suffers from the application of the ordinance to this lot. In other words, why it is you cannot get his money's worth out of the property unless this board grants him a variance. That basically is the dollars and cents type proof so you, since you're contract purchasers, you're willing to pay something for the lot subject to getting a variance. The other side of the coin is if that variance were not granted, is the owner getting insufficient return on the property without a variance. In other words, what practical value does the lot have if this variance is not granted by the boards. That's the significant economic injury that you have to speak to and if that's established, then the board will have sufficient grounds to make a finding of practical difficulty. We also would like to see when you come back a copy of the deed and a copy of his title policy or search whatever he happens to have and some photographs of the property also.

MS. BARNHART: Here's your application.

MR. LUCIA: It also says there that when you submit the application you have to submit two checks to the Town of New Windsor, one for \$50 application fee and one for \$250 deposit against town consultant fees, steno costs, publication, whatever else they have on the file. You may want to wait before you submit it to get a copy of the minutes to make sure you have everything.

MS. BRIODY: Would be a good idea, don't you think?

April 27, 1992
How long will that be?

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MR. BABCOCK: Probably a couple weeks.

MS. BRIODY: Do I come and get them?

MR. BABCOCK: Just call Mary or Patty.

MS. BRIODY: Thank you very much.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

50

July 10, 1992

Stage & Nathans
Attorneys at Law
PO Box 410
Warwick, New York 10990

Re: Variance List 500 ft./ 59-1-6
Peter DioGuardia Estate

Dear Sirs:

According to our records, the attached list of property owners are within five hundred (500) ft. of the above mentioned property.

The charge for this service is \$65.00, minus your deposit of \$25.00. Please remit balance of \$40.00 to the Town Clerk's office.

Sincerely,

Leslie Cook *CAS*

LESLIE COOK
Sole Assessor

LC/cp
Attachments
cc: Pat Barnhart

Clayton, Sally W.
30 Hillcrest Dr.
Salisbury Mills, NY 12577

Mahoney, Michael J. & Elizabeth A.
142 South Little Tor Rd.
New City, NY 10956

Bow, David & Eileen
5 Winslow Park Rd.
Kingston, NY 03848

Youmans, William H. & Ellen M.
3 Forest Lane
Salisbury Mills, NY 12577

Ferraioli, Gilda
1 Forest Lane
Salisbury Mills, NY 12577

Rodriguez, Emilio
28 Hillcrest Dr.
Salisbury Mills, NY 12577

Burke, Daniel J. & Kathleen M.
26 Hillcrest Dr.
Salisbury Mills, NY 12577

Letchworth Dev.
Office of Comptroller
Gov. A Smith Bldg.
Albany, NY 12236

Osmer, Josephine & Guy R.
16 Hillcrest Dr.
Salisbury Mills, NY 12577

Adams, William P.
14 Hillcrest Dr.
Salisbury Mills, NY 12577

Obermeier, Margarete F. Executrix
12 Hillcrest Dr.
Salisbury Mills, NY 12577

Conley, Albert N. & Mary Jane
13 Hillcrest Dr.
Salisbury Mills, NY 12577

Capone, Joseph R. & Annette M.
15 Hillcrest Dr.
Salisbury Mills, NY 12577

Kitchen, Paul M. & Alida J.
17 Hillcrest Dr.
Salisbury Mills, NY 12577

DiMaggio, Dominick P. & Dorothy
21 Hillcrest Dr.
Salisbury Mills, NY 12577

Hagerth, Rita F.
P.O. Box 151
Salisbury Mills, NY 12577

Walters, William A. & Janet L.
50 Valley View Dr.
Salisbury Mills, NY 12577

Lunn, George J. & Paula W.
122 Windsor Terrace
Salisbury Mills, NY 12577

Mary O'Brien Trust
111 Briny Ave. Apt. 2614
Pompano Beach, FL 33062

Dragonetti, Ralph E. Jr.
6 Forest Lane
Salisbury Mills, NY 12577

Sirull, Allan & Maureen
31 Hillcrest Dr.
Salisbury Mills, NY 12577

Bernstein, Janice
29 Hillcrest Dr.
Salisbury Mills, NY 12577

Mallon, Peter & Ann E.
25 Hillcrest Dr.
Salisbury Mills, NY 12577

Barbieri, Kenneth & Juanita A.
53 Valley View Dr.
Salisbury Mills, NY 12577

Kiefer, Vincent Jr.
371 N Elting Corners Rd.
Highland, NY 12528

Kiefer, Vincent R. & Helen M.
1855 Bogart Ave.
Bronx, NY 10462

Padden, John
P.O. Box 313 Ridgeview Rd.
Salisbury Mills, NY 12577

Washburn, Raymond F. & Colleen A.
2 Forest Lane
Salisbury Mills, NY 12577

Travers, Mark & Anne
11 Ridgeview Rd.
Salisbury Mills, NY 12577

Meehan, James F. & Suzane
9 Ridgeview Rd.
Salisbury Mills, NY 12577

D'Jovin, Robert & Bonnie
7 Ridgeview Rd.
Salisbury Mills, NY 12577

Halinan, Michael J. & Mary Alice
5 Ridgeview Rd.
Salisbury Mills, NY 12577

Miserendino, Bennie & Mary
49 Valley View Dr.
Salisbury Mills, NY 12577

Kaiser, Steven & Debra
PO Box 87
Salisbury Mills, NY 12577

Bar, Alexander A. & Natalie
PO Box 239
Cornwall, NY 12518

Foy, Michael R. & Sherrie
PO Box 150
Salisbury Mills, NY 12577

Tuohy, Patrick & Deborah A.
PO Box 196
Salisbury Mills, NY 12577

Strohl, Albert & Linda
P.O. Box 195
Salisbury Mills, NY 12577

Castellane, William W. & Maria D.
P.O. Box 165
Salisbury Mills, NY 12577

Diemer, William C. & Doreen
7 Mecca Dr.
Salisbury Mills, NY 12577

Connors, John R. & Elizabeth G.
11 Mecca Drive
Salisbury Mills, NY 12577

Suburban Homes of Orange Co. Inc.
PO Box 457
Woodcock Mountain Road
Washingtonville, NY 10992

Spaulding, James G. & Patricia D.
13 Alphonsa Court
Salisbury Mills, NY 12577

Burgos, Victor A. & Jacqueline P.
17 Alphonsa Court
Salisbury Mills, NY 12577

Park Road Construction Corp.
PO Box 286
Salisbury Mills, NY 12577

Briody, Thomas E. & Sonia B.
PO Box 129
Salisbury Mills, NY 12577

Hirsch, Mayer
6 Hayes Ct.
Monroe, NY 10950

Risolio, Vincent & Josephine
PO Box 353
Salisbury Mills, NY 12577

Filippini, Raymond &
Risolio, Annette
PO Box 187
Salisbury Mills, NY 12577

Mecca, Marion
RD 4 Lakeside Drive
New Windsor, NY 12553



"CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE DELAWARE-HUDSON LAND SURVEYORS ASSOCIATION. SAID CERTIFICATIONS SHALL RUN ONLY TO THOSE NAMED INDIVIDUALS AND/OR INSTITUTIONS FOR WHOM THE SURVEY IS PREPARED. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INDIVIDUALS, INSTITUTIONS, THEIR SUCCESSORS AND/OR ASSIGNS, OR SUBSEQUENT OWNERS."

REFERENCES:

- BEING LOT 12 ON A CERTAIN MAP ENTITLED "MAP OF WINDSOR HILLS", FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON AUGUST 26, 1950 AS MAP NO. 1448.
- MAP ENTITLED "SUBDIVISION OF LANDS OF S.M.S. CONSTRUCTION CORP." FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON MAY 11, 1959 AS MAP NO. 1800.
- DEEDS AS NOTED.

- SUBJECT TO THE FINDINGS OF AN UP-TO-DATE ABSTRACT OF TITLE.
- AREA: 17,047 S.F. = 0.391 AC.
- TAX LOT: 59-1-6

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S EMBOSSED SEAL IS A VIOLATION OF SECTION 7208, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL TRACING MARKED WITH THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID, TRUE COPIES.

I HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS MAP IS BASED ON AN ACTUAL FIELD SURVEY COMPLETED ON JUNE 28, 1991 AND CONFORMS TO THE MINIMUM STANDARDS FOR LAND SURVEYS ADOPTED BY THE DELAWARE-HUDSON LAND SURVEYORS ASSOCIATION ON DECEMBER 2, 1987 AND REVISED FEBRUARY 9, 1988.

• SONIA BRIODY

DONALD R. STEDGE, L.S., N.Y.S. L.I.C. No. 49759

928-9360

SURVEY OF PROPERTY PREPARED FOR	
SONIA BRIODY	
TOWN OF NEW WINDSOR	
ORANGE COUNTY NEW YORK	
SCALE: 1" = 20'	JUNE 28, 1991
DONALD R. STEDGE, L.S., P.C. 118 EDGEWOOD DRIVE CENTRAL VALLEY, N.Y. 10917	JOB NO. 91019

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